

Docket No.: 3749-0111PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Yasuhiro NISHIDA et al.

Application No.: 10/579,338

Confirmation No.: 1932

Filed: May 15, 2006

Art Unit: 1651

For: NOVEL CAROTENOID HYDROXYLASE  
GENE, METHOD FOR PREPARING  
HYDROXYLATED CAROTENOID, AND  
NOVEL GERANYLGERANYL  
PYROPHOSPHATE SYNTHASE

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Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED NOTIFICATION OF ACCEPTANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is the Notification of Acceptance in connection with the above-identified application.

**THE FOLLOWING CORRECTION(S) ARE RESPECTFULLY REQUESTED:**

DATE OF RECEIPT OF ALL 35 U.S.C. § 371 REQUIREMENTS:

Change From: "May 18, 2006

To: --August 11, 2006

As evidence of Applicant's previous submission of all filing Requirements in connection with the present application, enclosed are copies of the Letter Submitting Additional Documents for Entering National Phase for a PCT Application, the Declaration and Power of Attorney, and the date-stamped postcard indicating receipt of the Declaration and Power of Attorney by the

Application No.: 10/579,338

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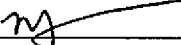
United States Patent and Trademark Office and payment of the appropriate fees by the Applicant.

It is respectfully requested that the United States Patent and Trademark Office forward a new Notification of Acceptance to the undersigned attorney showing the corrections.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated:

Respectfully submitted,

By   
Mary Anne Armstrong  
Registration No.: 40,069  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
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(703) 205-8000  
Attorney for Applicant

Attachment(s)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/579,338	Yasuhiro Nishiida	3749-0111PUS1

INTERNATIONAL APPLICATION NO.	
PCT/JP04/16297	
I.A. FILING DATE	PRIORITY DATE
11/04/2004	11/18/2003

2292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 1932

371 ACCEPTANCE LETTER



\*OC000000023013612\*

Date Mailed: 03/27/2007

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

05/15/200605/18/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
 (c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 05/15/2006
- English Translation of the IA filed on 05/15/2006
- Copy of the International Search Report filed on 05/15/2006
- Preliminary Amendments filed on 05/15/2006
- Information Disclosure Statements filed on 05/15/2006
- Biochemical Sequence Diskette filed on 08/11/2006
- Oath or Declaration filed on 05/15/2006
- Biochemical Sequence Listing filed on 05/15/2006
- U.S. Basic National Fees filed on 05/15/2006
- Priority Documents filed on 05/15/2006

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

**Inventor:** Yasuhiro NISHIDA et al.

**Atty Docket No.:** 3749-0111PUS1

**Application No.:** 10/579,338-Conf. #1932

**Filing Date:** May 15, 2006

13

**Title:** NOVEL CAROTENOID HYDROXYLASE GENE, METHOD FOR PREPARING  
HYDROXYLATED CAROTENOID, AND NOVEL GERANYLGERANYL PYROPHOSHATE  
SYNTHASE

**Documents Filed:**

Letter Submitting Additional Documents for Entering Natl. Phase for a PCT Application (3 pages)  
Original executed Declaration (2 pages)



**Via:** BSKB Courier

**Sender's Initials:** MAA:bmp

**Due Date:** ASAP

**Date:** AUG 11 2006

Docket No.: 3749-0111PUS1  
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In re Patent Application of:  
Yasuhiro NISHIDA et al.

Application No.: 10/579,338

Confirmation No.: 1932

Filed: May 15, 2006

Art Unit: N/A

For: NOVEL CAROTENOID HYDROXYLASE  
GENE, METHOD FOR PREPARING  
HYDROXYLATED CAROTENOID, AND  
NOVEL GERANYLGERANYL  
PYROPHOSHATE SYNTHASE

Examiner: Not Yet Assigned

**LETTER SUBMITTING ADDITIONAL DOCUMENTS FOR ENTERING NATIONAL  
PHASE FOR A PCT APPLICATION**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under the provisions of 27 C.F.R. 1.495, attached hereto are the following additional items necessary for entering the national phase in connection with the above-identified PCT international application.

- ☐ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- ☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on May 15, 2006, including any amendments thereto (if applicable) filed on even date therewith.

☒ The undersigned hereby declares that "Attorney Docket No. 3749-0111PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No.10/579,338 filed May 15, 2006 entitled "NOVEL CAROTENOID HYDROXYLASE GENE, METHOD FOR PREPARING HYDROXYLATED CAROTENOID, AND NOVEL GERANYLGERANYL PYROPHOSHATE SYNTHASE."

☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

☐ Attached are 0 sheet(s) of drawings. Please substitute these replacement drawings for the corresponding 0 sheet(s) of drawings on file in the above-identified application.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

☐ Attached is a preliminary amendment.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

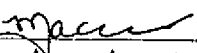
☐ Attached is a Supplemental Application Data Sheet (ADS).

- ☒ Submitted concurrently herewith under separate cover for recording is an Assignment.
- ☐ Attached is a Petition for Extension of Time.
- ☒ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on May 15, 2006.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: AUG 11 2006

Respectfully submitted,

By   
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P.O. Box 747  
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Attorney for Applicant

Attachment(s)